

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

November 19, 2013

A G E N D A

1. Call to order.
2. Invocation and pledge of allegiance to the flag.
3. Adoption of agenda.
4. Approval of the November 5, 2013 Regular Business Meeting minutes.
5. PUBLIC COMMENT: Citizens will be given a three (3)-minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Following thirty minutes of hearing from the public, the Board of Commissioners will allow the remainder of citizens who have signed up to be heard at the next Tuesday business meeting.
6. PROCLAMATION: "Clayton County Observes November 2013 as Safe Sleep Awareness Month" (presented by Chairman Jeffrey E. Turner).
7. PROCLAMATION: "Clayton County Recognizes Colonel Raymond King of Mundy's Mill AFJROTC" (presented by Commissioner Shana M. Rooks).
8. PRESENTATION: Clayton County's Proposed High Speed Rail System (presented by Henry Whitlow, Business & Systems Analyst for The Hudson Strategic Group in Atlanta, Georgia).
9. Consider requests of Theodis Locke, Director of Central Services/Risk Management. (NOTE: The entire Purchasing Ordinance for Clayton County, Georgia can be viewed on the MuniCode website. Citizens can access this website via the following website address: <http://library.municode.com/index.aspx?clientId=10562>.)

1) **Purchase of Barracuda 850 Email Message Archiver, GSA State Contract, POR #00011195** (InterDev., LLC, located in Alpharetta, Georgia; \$39,056.00. Funding is available through Information Technology's budget), as requested by the Information Technology Department. Per Section 2-136(6) of the Clayton County Purchasing Ordinance, the purchasing agent has the authority to purchase unlimited quantities of goods utilizing active annual contracts. O.C.G.A. § 50-5-100 states, "The Department of Administrative Services is authorized to permit local political subdivisions, on an optional basis, to purchase their supplies through the state." This allows the purchasing agent to utilize statewide contracts when this practice serves the best interest of Clayton County. The Clayton County Board of

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Commissioners makes the final award for the state contract purchases of \$35,000.00 and greater.

2) **RFB Pkg. #11-23 Clayton County Transportation and Development Aluminum Sign Blanks, Annual Contract, Request for Second Annual Renewal, First Amendment** (Vulcan, Inc., located in Foley, Alabama), as requested by the Transportation and Development Department. Per Section 2-136(6) of the Clayton County Purchasing Ordinance, Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document.

3) **RFP Pkg. #05-35 Engineering Services for the ITS Bond Implementation Project, Change Order Request, First Amendment** (Gresham Smith & Partners, located in Alpharetta, Georgia; \$32,203.24). Per Section 2-136(2) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. All goods and services in excess of \$25,000.00 are required to be purchased through the sealed proposal process, or negotiated by the Director of Central Services with the full Board of Commissioners' approval. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater.

10. Consider requests of Ramona Thurman, Chief Financial Officer.

1) Budget Amendment #2-22 – Other General Government/FYE 6-30-14 – to purchase a Medical Transport Unit, in the amount of \$165,000.00.

2) Budget Amendment #2-23 – Other General Government/FYE 6-30-14 – to amend the budget for Phase One of the renovation of Annex 3, in the amount of \$250,000.00.

3) Budget Amendment #4-24 – Fund 306 – 2004 SPLOST – Roads & Recreation/FYE 6-30-14 – to carry Fiscal Year 2013 project budgets forward and to set up budgets for Fiscal Year 2014, in the amount of \$32,796,722.00.

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- 4) Budget Amendment #4-25 – Fund 307 – 2009 SPLOST/FYE 6-30-14 – to carry Fiscal Year 2013 project budgets forward and to set up budgets for Fiscal Year 2014, in the amount of \$41,378,000.00.
- 5) Budget Amendment #4-26 – **Fund 289** – Transportation & Development Grants & Other SPLOST Related Grants/FYE 6-30-14 – to carry forward Fiscal Year 2013 balances and to set up projects for Fiscal Year 2014, in the amount of \$22,283,198.00.
- 6) Budget Amendment #4-27 – Fund 306 – SPLOST Roads & Recreation Projects/FYE 6-30-14 – to amend the budget funds needed for temporary easements for Flint River Road and Godby Road projects, in the amount of \$100,000.00.
11. Consider a request of Renee Bright, Director of Human Resources.
12. Ordinance 2013-289 (***1st Reading***) – An Ordinance adopted under the Home Rule Powers granted to Clayton County pursuant to Article IX, Section II, Paragraph I of the Constitution of the State of Georgia of 1983, amending the Clayton County Code of Ordinances, and specifically relevant sections of the Clayton County Civil Service Act and the Civil Service Rules and Regulations pertaining thereto; to provide for the creation of the unclassified position of Manager of Capital Improvements; to provide an effective date of this ordinance; and for other purposes.
13. Ordinance 2013-290 (***1st Reading***) – An Ordinance adopted under the Home Rule Powers granted to Clayton County pursuant to Article IX, Section II, Paragraph I of the Constitution of the State of Georgia of 1983, amending the Clayton County Code of Ordinances, and specifically relevant sections of the Clayton County Civil Service Act and the Civil Service Rules and Regulations pertaining thereto; to provide for the creation of the unclassified position of Kinship Care Leader; to provide an effective date of this ordinance; and for other purposes.
14. Ordinance 2013-291 – An Ordinance to amend the Clayton County Code of Ordinances, specifically Chapter 86 “Subdivisions,” Article II “Tree Protection” so as to amend Section 86-55 “Definitions”; to delete Section 86-56 “Tree Bank and Tree Fund” and insert in lieu thereof a new Section 86-56; to delete Section 86-57 “County Arborist” and insert in lieu thereof a new Section 86-57; to delete Section 86-58 “Greenspace Trust Board” and insert in lieu thereof a new Section 86-58; to provide an effective date of this ordinance; to provide for repeal of conflicting ordinances; to provide for codification; to provide for severability; and for other purposes.
15. Resolution 2013-292 – A Resolution authorizing Clayton County to enter into an agreement with

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- Unique Management Services, Inc., providing for the terms and conditions under which overdue Library materials, fines and fees will be recovered; to authorize the Chairman to execute the agreement and to otherwise perform all other acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget as needed to reflect an appropriate revenue source and expense, to provide an effective date of this resolution; and for other purposes.
16. Resolution 2013-293 – A Resolution authorizing Clayton County to enter into a Service Agreement with Freegal Music, providing citizens access to music and movies from the Clayton County Library Collections; to provide an effective date of this resolution; and for other purposes.
 17. Resolution 2013-294 – A Resolution to allow Georgia State Senator Gail Davenport to host a senior citizens town hall meeting and dinner at the J. Charley Griswell Senior Center; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes.
 18. Resolution 2013-295 – A Resolution to amend Resolution 2013-277 by waiving the facility use cost previously approved by the Board of Commissioners for the Summit at Lake Jodeco Homeowners' Association to host its annual business dinner meeting at the J. Charley Griswell Senior Center; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes.
 19. Resolution 2013-296 – A Resolution authorizing Clayton County to amend the agreement with Phoenix-Sullivan Improvement Association, Inc. approved in Resolution 2013-237 to provide for a project termination date of September 1, 2015 instead of September 1, 2014; to authorize the Chairman to execute the amended agreement and to perform all other acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the agreement; to provide an effective date of this resolution; and for other purposes.
 20. Resolution 2013-297 – A Resolution authorizing Clayton County to submit a grant application for the Georgia Transportation Infrastructure Bank and, if awarded, accept such grant funds (\$1,442,500.00 with a required local 20% match of \$288,500.00) for an Advanced Transportation Management System Upgrade Project; to authorize the Chairman to execute the application and otherwise to perform all other acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget as needed to reflect an

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appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes.

21. Resolution 2013-298 – A Resolution authorizing Clayton County to execute an easement agreement and related documents with Georgia Power Company, in connection with certain underground electrical line construction; to authorize the Chairman to execute the easement agreement, and otherwise to perform all other acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes.
22. Resolution 2013-299 – A Resolution authorizing Clayton County to enter into a Memorandum of Agreement with the Department of Transportation, State of Georgia for the installation of street lights on S.R. 139, Riverdale Road adjacent to I-285 in Clayton County; to authorize the Chairman to execute the agreement on behalf of the County and otherwise to perform all other acts necessary to accomplish the intent of the resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the agreement; to provide an effective date of this resolution; and for other purposes.
23. Resolution 2013-300 – A Resolution authorizing Clayton County to allow for the installation of a street light at the intersection of Creel Drive at Newberry Lane in Clayton County; to authorize the Chairman to execute the agreement on behalf of the County and otherwise to perform all other acts necessary to accomplish the intent of the resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the agreement; to provide an effective date of this resolution; and for other purposes.
24. Resolution 2013-301 – A Resolution authorizing Clayton County to exercise its powers of Eminent Domain in accordance with provisions of Georgia Laws for the purpose of acquiring a certain property for use by the Clayton County Department of Transportation and Development for the Flint River Road Widening Improvement Project; to authorize the Chairman to execute any documents relating thereto, and to otherwise perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes.
25. Resolution 2013-302 – A Resolution authorizing Clayton County to exercise its powers of Eminent Domain in accordance with provisions of Georgia Laws for the purpose of acquiring certain properties for use by the Clayton County Department of Transportation and

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Development for the Anvil Block Road Widening Improvement Project; to authorize the Chairman to execute any documents relating thereto, and to otherwise perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes.

26. Resolution 2013-303 – A Resolution by the Board of Commissioners directing the termination of all project planning and construction for the District 4 Recreation Center on Stockbridge Road in Jonesboro, Georgia; to authorize the County to retain SG Property Services, LLC to conduct an assessment of a potential site at the Clayton County International Park for the possible relocation of the District 4 Recreation Center and, if determined feasible, to serve as the Project Manager for said project in accordance with the terms and conditions of the agreement attached hereto; to authorize the Chairman to execute any necessary documents and to otherwise perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer to amend the budget as needed to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes.
27. Appointment to the Hospital Authority Board to replace Mr. William McBerry (deceased). New term is for three (3) years, expiring on October 31, 2016.
28. ZONING PETITION:

SUNSET PARK c/o Crandle Bray/PUD (Conceptual Development Plan)/Case # PUD201310-04

The Applicant, Crandle Bray on behalf of Bank of the Ozarks, is requesting acceptance of the Conceptual Development Plan and an amendment to the official zoning map from Article 3.7 Residential (RS-110) to Article 7.2 Planned Unit Development for the construction of 32 single family lots upon the property located at 7348 Homestead Road (12135C A002) and 6270 Homestead Road (12135C A003) in Rex, Georgia. The subject properties are approximately a combined 13.43 acres of land.

Commission District #1 – Commissioner Sonna Singleton

29. ZONING PETITION:

JONES PETROLEUM c/o Ren Anderson/Rezoning from Planned Unit Development (PUD) to Light Industrial (LI) for Diesel Pumps/Case # REZ 201310-01

The Applicant, Ren Anderson on behalf of First State Bank, is requesting a rezoning from

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Article 7.1 Planned Unit Development District to Article 3.31 Heavy Industrial (HI) District for the sale of Diesel Fuel with 4 pumping stations upon property located at 6542 Highway 42 in Rex, Georgia and otherwise known as parcel number 12120B A005. The subject property is approximately 3.75 acres of vacant land, and is currently zoned PUD.

Commission District #1 – Commissioner Sonna Singleton

30. ZONING PETITION:

Conditional Use Permit (CUP) for a Shingle Processing Facility c/o Greg Hecht and Jon Jordan/6075 Lees Mill Road/Case # CUP201310-06

The Applicants, Greg Hecht and Jon Jordan of Hecht Walker, Attorneys at Law, on behalf of The Concrete Company, are requesting a conditional use permit (CUP) from Article 3.31 for a shingle processing facility. The subject property is located at 6075 Lees Mill Road and otherwise known as parcel number 13116A A001. The subject property is identified as approximately 44.26 acres of industrial land and is currently zoned HI.

Commission District #2 – Commissioner Gail Hambrick

31. ZONING PETITION:

Rezoning from Heavy Industrial (HI) to Light Industrial (LI) with a CUP for Truck Sales and Service/2741 East Clayton Drive/Case # REZ/CUP 201310-02&03

The Applicant, Crandle Bray on behalf of Diamond Stone Investments, LLC, is requesting a rezoning from Article 3.31 Heavy Industrial (HI) District to Article 3.29 Light Industrial (LI) with a Conditional Use Permit (CUP) for the sales and service of truck/trailer/tractor sales upon

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property located at 2741 East Clayton Drive and otherwise known as parcel number 12182C A002. The subject property is approximately 5.8 acres of vacant land, and is currently zoned HI.

Commission District #1 – Commissioner Sonna Singleton

EXECUTIVE SESSION

32. Consider any act(s) necessary based on decision(s) made in the Executive Session.